

Reasons for Allowance and Examiner's Amendment

1. Applicant's response to the last Office Action, filed on 4/28/2008 has been entered and made of record. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joel Meyer on 10/23/2008.

2. The application has been amended as follows:

Cancel claim 35.

Cancel claims 41-46.

Claim 33 has been replaced by the following:

--33. In a portable wireless device that includes a sensor to capture image or audio data, a method comprising:

capturing audio in the device to provide an audio signal;

extracting data from the captured audio from the audio signal, the extracted data serving to identify the audio signal, wherein the extracted data is obtained from a digital watermark steganographically embedded in the audio signal;

wirelessly transferring the extracted data to a remote location; and

wirelessly receiving data separate from yet corresponding to the extracted data from the remote location, wherein the extracted data provides identification of the audio signal and the separate data corresponds to the extracted data through a database that associates the identification of the audio signal with the separate data.--

3. Claims 41-46 have been cancelled without prejudice. **Claims 33, 34, 36-40 have been renumbered claims 1-7. Claim 35 has been cancelled.**

4. Claims 33, 34, 36-40, which have been renumbered claims 1-7, **are allowed.** Claims 41-46 have been cancelled without prejudice.

5. The following is the Examiner's statement of reason for allowance:

The prior art fails to teach using digital watermarks steganographically embedded in an audio signal as identifiers to obtain information relating to the original audio signal from a remote database and return this corresponding but distinct information back to the device which originally captured the audio signal and extracted the digital watermark.

In view of the amendment, the new Independent claim 1 and all dependent claims are allowed. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays,

should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ELISA M. RICE whose telephone number is (571)270-1582. The examiner can normally be reached on 8:00a.m.-5:30p.m. EST Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Vikram Bali can be reached on (571)272-7415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Elisa M Rice/

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Examiner, Art Unit 2624

/Vikkram Bali/

Supervisory Patent Examiner, Art Unit 2624